IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICITON

NOTICE OF MOTION NO.930 OF 2005
WITH
INCOME TAX APPEAL (L) NO.407 OF 2005

The Commissioner of Income Tax .. Appellant.

Versus

Shri Kanhaiyalal J. Ruia .. Respondent.

Mr.A.D. Kango for the Appellant.

Mr.R.S. Tripathi for the respondent.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 13TH AUGUST, 2007.

P.C. :

1. In view of the Judgment of the Supreme Court in the case of C.I.T. V/s. D.P. Sandu Brothers, Chembur P. Ltd reported in 273 I.T.R. 1, learned counsel seeks leave to withdraw the notice of motion and the appeal.

2. The notice of motion as also the appeal is dismissed as withdrawn. Refund of court fee as per rules. Certified copy expedited.

(J.P. DEVADHAR, J.) (F.I. REBELLO, J.)